

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Gregory A O'Neal,

Plaintiff,

v.

Turns East,

Defendant.

CASE NO. 2:10-MC-00151-MJP

ORDER ON REPORT &
RECOMMENDATION

The Court, having reviewed the Magistrate Judge's Report and Recommendation (Dkt. No. 9), Plaintiff's Affidavit/Objection to Dismissal (Dkt. No. 10) and the entire record on file in this matter, declines to follow the recommendation and makes the following ruling:

IT IS ORDERED that Plaintiff will be granted IFP status and permitted to proceed. An Order Granting Application to Proceed In Forma Pauperis will be filed with this order.

Plaintiff has brought a discovery dispute related to a federal suit pending in the Southern District of Texas. He has repeatedly attempted to qualify for IFP status and been rebuffed as various portions of his paperwork failed to satisfy the requirements for that process. It now appears that the documents which he appended to his Affidavit/Objection are in proper form and

1 that Plaintiff does in fact qualify to proceed *in forma pauperis*. The Court will sign an order to
2 that effect and the matter may go forth.

3 The clerk is ordered to provide copies of this order to Magistrate Judge Tsuchida and to
4 Plaintiff.

5 Dated this _3rd_ day of January, 2011.

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9 Marsha J. Pechman
United States District Judge